

ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION
1400 West Washington St., Conference Room B1
Phoenix, AZ 85007

COMPLAINT COMMITTEE MEETING MINUTES

September 25, 2014

Members Present: Glen Tharp
Trish Leonard

Also Present: Teri Stanfill, Director
Keith Blanchard, Deputy Director
K.D., Board Secretary

I. CALL TO ORDER –1:07 P.M.

Chairman Glen Tharp called the Complaint Committee meeting of the Arizona State Board for Private Postsecondary Education Board Meeting to order at 10:04 A.M.

II. MINUTES: MARCH 27, 2014

Ms. Leonard made a motion to approve the minutes of the July 31, 2014 Complaint Committee meeting as submitted. Mr. Tharp seconded the motion. **Minutes approved**

**III. DETERMINATION TO OPEN A COMPLAINT – Stevens
Henager/Independence University (Call Center)
Institution: Eric Juhlin, CEO
Complainant: S.S. – telephonically**

Mr. Blanchard summarized the complaint. On July 24, 2014, staff received a phone call from S.S. regarding her employment as an online admissions representative for Independence University and Stephen Henager.

During the meeting, S.S. summarized that she and other admissions representatives were terminated because they did not meet a “6 student per month” enrollment requirement. Enrollment counselors (“EC”) are forced to maintain a 6 student start per each month. S.S. was told to enroll students who are telling the school they did want to enroll. Some student’s state they do not even have a computer to go to school.

Mr. Juhlin spoke to the committee and explained the compensation and stated enrollment counselors are not compensated based on enrollment. They are not given pay increases based on enrollment numbers. Enrollment counselors do adhere to a Performance Improvement Plan, which covers a 90 day period, if they fail to reach specific enrollment numbers. Independence University and Stephen Henager submitted the written compensation plan, which was explained in detail by Mr. Juhlin.

ACTION: After discussion and review, Ms. Leonard made a motion to not open a complaint. Mr. Tharp seconded the motion. **Motion Carried.**

**IV. DETERMINATION TO OPEN A COMPLAINT – Examination Preparation Institute, Inc., an unlicensed institution (“EPI”)
Attendees – None**

Mr. Blanchard summarized the complaint. On August 29, 2014, Board staff received an email from a student who enrolled and paid tuition for a Bachelor of Behavioral Health Science and Health Care Management Program with Examination Preparation Institute, Inc., an unlicensed institution. The institute is located at 7502 E. Monterey, Scottsdale, AZ 85251. The administrators are identified as Pamela R. Davis, John C. Davis, Jr. and Ernest C. Estaban.

During an interview with Pamela Davis, she stated EPI no longer are offering the above degree program, which was taught through University of Science, Arts & Technology (“USAT”). USAT is not a licensed school in any state.

Ms. Davis stated she would give the student a refund if she returned all books. Subsequently, the student contacted staff and stated she is not getting any response from Ms. Davis. During a site visit, attached by the front and back doors of the building are signs that shows multiple program offering, which would require licensure by this Board or others state agencies.

It was noted that Pamela Davis is using Ph.D. and M.D. designation, which are false. During my interview of Ms. Davis, she stated she does not hold any M.D. designation and would remove it from her title.

Administrative Law Judge (Board of Nursing) decision to revoke an LPN license from Ernest C. Estaban for falsely using certifications and degrees he does not hold. Mr. Estaban is a member of the company pursuant to Arizona Corporation Commission.

Staff has sent, by certified mail, a cease and desist order to EPI and sent copies to Arizona Board of Medical Examiners, Board of Exam of Nursing Care, Institutions Adm. & Assisted L.F.M., Arizona State Board of Nursing and Board of Massage Therapy.

ACTION: After discussion and review, Mr. Tharp made a motion that staff will open a complaint and requested staff to confirm the certified mailing of the C&D, serve by service of process if unsuccessful and submit to AG’s office for handing in the Maricopa County Superior Court. Further review will be conducted by the full State Board. Ms. Leonard seconded the motion. **Motion Carried.**

V. STUDENT COMPLAINT

**A. #14-S010 ITT Technical Institute
Institution: Linda Lemken
Student: No Appearance**

Mr. Blanchard briefly summarized the complaint. At its meeting on July 31, 2014, the Complaint Committee reviewed the complaint. During discussion and action, the committee voted to forward this complaint to the Board for further review and possible action. The State Board voted to return the complaint to the Complaint Committee and requested ITT Tech to attempt resolution with the student to include a refund of PT2520 class and possible return.

In its the original review, the Complaint Committee requested the review of the refund of the PT2520 based on the complainants explanation that he wanted and requested withdrawal from ITT.

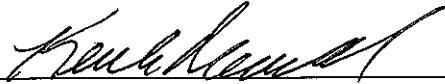
At the September 25, 2014 Complaint Committee meeting, ITT submitted information that there was no resolution. ITT submitted documentation and verbal explanation that they made a number of requests to have R.S. meet with the school, but he failed to meet. He requested from the school that he wanted a full refund and was not interested with only the PT2520 refund and was not interested in returning to ITT.

ACTION: After review and discussion, Ms. Leonard made a motion to dismiss the complaint and comment that ITT did attempt to come to a mutual resolution with R.S. Mr. Tharp seconded the motion. **Motion Carried.**

VI. Call to the public: N/A

VII. ADJOURNMENT: 1:52 P.M.

The September 25, 2014 Complaint Committee Minutes were approved at the January 6, 2015 Complaint Committee meeting



Keith Blanchard, Deputy Director